

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
SCOTT RODGERS,)	
)	
Plaintiff,)	
)	
v.)	
)	CIVIL ACTION NO. 04-11842-PBS
CORRECTION OFFICER ORCUTT,)	
UNKNOWN CORRECTION OFFICER)	
JOHN DOE, JOE WHITMORE, DR.)	
HOWARD, JOHN SMITH and)	
PLYMOUTH COUNTY,)	
Defendants.)	

**DEFENDANTS CORRECTIONS OFFICER JUDITH ORCUTT, JOSEPH WHITMORE
AND JOHN SMITH'S MOTION TO EXTEND TIME
TO FILE MOTION FOR SUMMARY JUDGMENT
(ASSENTED TO)**

Now come Defendants Correction Officer Judith Orcutt, Joseph Whitmore and John Smith and respectfully move the Court to extend their time to file a Motion for Summary Judgment through and including Friday, August 18, 2006. As grounds for this Motion, the Defendants state that they require a limited amount of additional time in order to complete their Motion for Summary Judgment, Memorandum and supporting documents.

In support of their Motion, Defendants state that they have conferred with Plaintiff's counsel concerning this Motion and have secured his assent to the relief requested in this Motion. As further grounds for this Motion, Defendants state that this is their first motion requesting an extension of time with respect to the deadline at issue and that they do not anticipate the need to request additional time beyond that which is sought in this Motion. No person or party will suffer prejudice

by reason of this brief extension of time requested.

WHEREFORE, the Defendants respectfully move the Court to extend the time to file their Motion for Summary Judgment through and including Friday, August 18, 2006.

Respectfully submitted,

The Defendants,
Correction Officer Orcutt, Joe Whitmore and John
Smith
By their attorneys,

/s/ William P. Breen, Jr.

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Dated: July 28, 2006

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

The undersigned attorney certifies that prior to filing the above motion, he conferred in good faith with opposing counsel to narrow the issues raised by this motion.

/s/ William P. Breen, Jr.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on July 28, 2006.

/s/ William P. Breen, Jr.